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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAN ROUVEN FUECHTENER,

Defendant.

2:16-cr-00100-GMN-PAL

GOVERNMENT'S REPLY TO
DEFENDANT'S RESPONSE TO
MOTION TO CONTINUE TRIAL DATE

The United States of America, through the undersigned, respectfully submits that a short continuance of the trial and respective pre-trial deadlines in the above-captioned matter is warranted.

In responding to the Government's motion, the Defendant misapprehends the Government's request. First, the Government sought to extend *pre-trial deadlines* currently set for May 26, 2016, based upon conflicts with AUSA Silva's trial schedule.¹ By failing to object to the Government's request to continue the *pre-trial deadlines*, the defense concedes that a short continuance is warranted. Second, irrespective of the

¹ AUSA Silva's travel schedule now permits her to be available for the May 31, 2016 calendar call date, as she is out of the district from June 1 to June 5, 2016.

1 Court's unavailability, the Government is seeking a short continuance to June 13,
2 2016, based upon AUSA Silva's trial and travel schedule. In terms of trial
3 preparedness, the Government will be ready to go to trial on June 13, 2016.

4 This continuance will not violate the Defendant's speedy trial rights. The
5 speedy trial clock began to run on April 6, 2016 when the Defendant was arraigned.
6 *United States v. Daychild*, 357 F.3d 1082, 1090 (9th Cir. 2004). The speedy trial clock
7 was then immediately tolled until April 19, 2016, when this Court decided the
8 Defendant's appeal to his order of detention, ECF No. 24. 18 U.S.C. § 3161(h)(1)(C),
9 (D), (H). Considering excludable time, the Defendant's speedy trial clock will not run
10 until June 28, 2016, and the requested continuance falls well within the deadline.²

11 The Government respectfully requests that the Court grant this motion to
12 continue trial pre-trial deadlines based on the unavailability of the Government's
13 attorney during the dates currently scheduled for pre-trial deadlines, and continue
14 trial until June 13, 2016.

15 DATED this 24th day of May, 2016.

16 DANIEL G. BOGDEN
17 United States Attorney

18 //s//

19 CRISTINA D. SILVA
20 ELHAM ROOHANI
Assistant United States Attorneys

21 _____
22 ² The Defendant's allegations about discovery are belied by the Defendant's own response that
23 the Government has produced over 3000 pages of discovery thus far, has made available the
24 computer data for the defense's review since April 11, 2016, and has enabled the defense to
"work on the case during this time frame." ECF No. 36, at 2-3. The Government has, and will
continue to, abide by its ongoing discovery obligations.